

ARTICLE APPEARED  
ON PAGE A-29NEW YORK TIMES  
14 February, 1985

# CBS Trial Testimony Centers on 1967 Intelligence Briefings

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Lawyers for Gen. William C. Westmoreland renewed their efforts in Federal District Court in Manhattan yesterday to show that the general had not concealed higher estimates of enemy strength in South Vietnam in 1967.

The focus of their efforts, which will continue when the general's libel trial against CBS resumes next Tuesday, is a series of two or three military intelligence briefings in the spring of 1967. What happened at those briefings — what was said or ordered by General Westmoreland — is an important question in the trial but is still in dispute after 18 weeks of testimony.

Col. Gains Hawkins, who was a senior intelligence officer, testified for CBS on Tuesday that at a briefing on May 28, 1967, the general refused for "political" reasons to accept new and much increased estimates for the irregular forces and political cadre.

## No Recollection of Briefing

But yesterday, under cross-examination, Colonel Hawkins said he did not recall attending a briefing on May 19, 1967, when General Westmoreland's immediate superior supposedly was advised of the higher figures and when the general asked that the "armed" enemy be listed separately from the unarmed. The superior was Adm. Ulysses S. Grant Sharp, commander of American forces in the Pacific.

David M. Dorsen, a lawyer for General Westmoreland, pointed out that on May 17, 1967, Colonel Hawkins wrote his wife from Saigon that Admiral Sharp was "due in next week."

Q. You have no recollection of a briefing on or about May 19, 1967, to Admiral Sharp?

A. No, sir, I have no recollection that I presented a briefing given to Admiral Sharp on May 19.

Q. Would you have participated in the preparation of a briefing given to Admiral Sharp under procedures in effect in mid-May 1967?

A. I may or may not have for one or more reasons. I do not recall the briefing, sir. I have answered that over and over and over again, sir.

On Tuesday, Colonel Hawkins testified that General Westmoreland had imposed a "dishonest" ceiling on reports of enemy strength in 1967 after the May 28 briefing, which the colonel said was the first time he presented the higher figures to the general.

But yesterday Mr. Dorsen read aloud a memorandum dated May 20 and prepared by General Westmoreland's deputy chief of staff that "confirms oral guidance" from the general fol-

lowing the meeting May 19. It said "the advisability of releasing the information presented in a VC Irregular Forces strength in SV briefing without further refinement was questioned."

The memo also said the data on the irregular forces and political cadre would be "analyzed in depth" by May 27 by operations and public information officers "to determine how this information should be presented both officially and publicly."

Another document dated May 28, which was introduced earlier in the trial, said that intelligence officers had presented "a revised version" of the figures and that General Westmoreland had ordered that they be "coordinated" with the Central Intelligence Agency, the American Embassy and others "before being forwarded to higher headquarters and Washington."

## 'Politically Unacceptable'

According to Colonel Hawkins, he gave only two briefings on the new estimates to General Westmoreland — on May 28 and June 14. And because General Westmoreland indicated that those figures were "politically unacceptable," he testified, he cut them and ordered junior officers to do so as well.

General Westmoreland, who testified last November, recalled briefings only on May 19 and May 28, and was not asked about a session with Colonel Hawkins in June 1967. And he denied fixing a limit on enemy strength.

Colonel Hawkins remembered General Westmoreland speculating at the May 28 briefing how President Johnson, Congress and the press would react to the higher figures. And, according to an affidavit submitted by Kelly Robinson, an intelligence officer who attended one of the briefings, the general "specifically mentioned The New York Times and kept saying words to the effect of 'What am I going to tell the press?'"

General Westmoreland testified that at the briefing with Captain Robinson he said "in words or substance that there was a public relations problem."

## 'The Party Line'

The basis for General Westmoreland's suit is a 1982 CBS documentary, "The Uncounted Enemy: A Vietnam Deception," that charged the general's command with engaging in a "conspiracy" in 1967 to show progress in the war by understating the size and nature of Communist military capabilities. The general led American forces in Vietnam from 1964 to 1968.

In other testimony yesterday, Lieut. Col. Norman House said he was "fired" from an Army intelligence unit

in Saigon in the autumn of 1967 because he refused to support a "predetermined conclusion" that the enemy, rather than becoming stronger, was "reverting" to an earlier phase of guer-

rilla activity.

Colonel House, who is retired, said he was told by a superior, Col. Leon Goche, that "if I wasn't ready to prepare reports that would support that party line, then I didn't belong in that elite group."

The official "line," Colonel House told the jury, "was that U.S. and allied forces had won the war of attrition." That line, he said, was "completely dishonest, it was a falsehood of the greatest magnitude."

Colonel House said the "party line" was so strong, so unbreakable, that it had to be not only privy to General Westmoreland but also to his senior aides.

Lawyers for CBS plan to call only three more witnesses in the trial before Judge Pierre N. Leval. They are Col. John Barrie Williams, a former intelligence officer; Roger Colloff, who was vice president and director of public affairs at CBS News when the documentary was made, and Mike Wallace, who narrated the broadcast and is now a defendant.

Colonel Hawkins, who was a prime source for the documentary and appeared on it as well, was chief of the order-of-battle section of General Westmoreland's command from February 1966 to September 1967.

Yesterday, the 65-year old Mississippian, who described himself as "a country boy," sparred with Mr. Dorsen over a number of subjects, from whether he had suggested in 1967 that the military "stonewall" the C.I.A.

until the new data on Vietcong irregulars was solidified — he apparently had — to whether the enemy tended to lie about the strength of its forces.

The Vietnamese Communists were "just like Democrats and Republicans in that way, they all do some lying now and then and you find some once in a while that will tell you the truth," Colonel Hawkins said. But the documents the Communists produced, he added, did not usually exaggerate their data.

At one stage, Mr. Dorsen had Colonel Hawkins read aloud portions of a 1980 draft article he wrote about his Vietnam experiences. The colonel read one part, then another, and looked up from the witness stand with satisfaction.

"God," he exclaimed, as courtroom spectators burst into laughter, "this is getting better all the time."